

1 JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney

2 BRIAN J. STRETCH (CSBN 163973)
Chief, Criminal Division

4 PATRICIA J. KENNEY (CSBN 130238)
Assistant United States Attorney

5 450 Golden Gate Avenue
6 San Francisco, CA 94102
7 Telephone: 415.436.6857
Facsimile: 415.436.6748
8 Email: patricia.kenney@usdoj.gov

9 Attorneys for United States of America

10
11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,) No. 07-3359 WHA
15 Plaintiff,)
16 v.)
17 \$70,000 IN UNITED STATES) STIPULATION AND ORDER
CURRENCY,) RESCHEDULING CASE MANAGEMENT
18 Defendant.) CONFERENCE CURRENTLY
) SCHEDULED FOR JANUARY 24, 2008
) TO MARCH 13, 2008
19 JIMMY DALE LABRANCH,)
20 Claimant.)
21

22
23
24
25
26
27
28

The parties agree, subject to the Court's approval, that the case management conference scheduled for Thursday, January 24, 2008 at 11:00 a.m., be rescheduled on Thursday, March 13, 2008 at 11:00 a.m. The instant case is currently stayed. *See* Stipulation and Order Staying Case, entered on November 8, 2007.

There are a couple of reasons which warrant the requested rescheduling. The undersigned AUSA was on medical leave following open heart surgery on November 19, 2007 and returned to work part time on Tuesday, January 22, 2008, when she learned that the AUSAs following her cases overlooked scheduling the CMC in this case and the joint case management statement. In addition, when the undersigned AUSA called counsel for claimant, she learned that he has another court matter scheduled for the same date, January 24, which conflicts with the case management conference. Because of her absence from the office, the undersigned AUSA is asking for the rescheduling as well so that she will have time to speak with the Special Agent who is handling the ongoing, criminal investigation to determine the status of that investigation since the Special Agent filed a declaration under seal to support the parties' agreement to stay the instant case.

IT IS SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

Dated: January 23, 2008

/s/
PATRICIA J. KENNEY
Assistant United States Attorney
Attorney for the United States

Dated: January 23, 2008

/s/
PETER A. LEEMING
Attorney for Claimant Jimmy Dale Labranch

PURSUANT TO THE FOREGOING STIPULATION, IT IS SO ORDERED ON THIS 23rd
OF JANUARY, 2008. Please file a case management statement by March 6, 2008.

**Stipulation and Order Rescheduling CMC
No. 07-3359 WHA**

2

